IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6498 OF 2006

Mahesh Nenshi Bhakta & Ors. .. Petitioners.
Vs.
Balkrishna Shivappa Shetty & Ors. .. Respondents.

Mr.S.M.Shah with Mr.Sandeep Wasnik for the petitioners.
Mr.P.N.Patwardhan for respondent no.1.
Mr.Surendra Raja for respondent no.2.

CORAM : D.B.BHOSALE, J.

DATED : 8TH NOVEMBER, 2006

P.C.:

. Heard learned counsel for the petitioners and respondent nos.1 and 2.

2. The learned counsel for the parties have fairly stated that I need not record the reasons for disposing of this writ petition and they have agreed for the following order:

(a) The petitioners are allowed to file appropriate application within four weeks from today seeking to recover repair cess, permitted increases etc. for the period commencing from 1st March, 2003 onwards.

(b) Mr.Patwardhan, learned counsel for respondent no.1 states that respondent no.1 has no objection for paying repair cess and permitted increases, if any, and which he is liable to pay, insofar as suit premises is concerned.

(c) The petitioner shall produce on record alongwith the application, the documents in support of the demand. If such an application is filed same may be disposed of within four weeks therefrom. The appeal court shall also endeavour to dispose of the appeal no.793 of 2003 as expeditiously as possible and preferrably within a period of eight months from the date of receipt of this order. The parties are directed to co-operate disposal of the appeal within time aforestated and shall not seek adjournments on frivolous grounds.

. With these observations the writ petition is disposed of.

(D.B.Bhosale, J.)